

**UNITED STATES DISTRICT COURT  
FOR THE Northern District of Illinois – CM/ECF LIVE, Ver 3.1.3  
Eastern Division**

Jane Doe

Plaintiff,

v.

Case No.: 1:08-cv-01149  
Honorable Elaine E. Bucklo

Fernandez Food Services, Inc., et al.

Defendant.

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**NOTIFICATION OF DOCKET ENTRY**

This docket entry was made by the Clerk on Thursday, April 10, 2008:

MINUTE entry before Judge Honorable Elaine E. Bucklo: Status hearing held on 4/10/2008 and the court approved parties' scheduling order. Set deadlines/hearing as to motion to dismiss, [14] : (responses due by 4/30/2008. Replies due by 5/8/2008. May 23 is the target ruling date. I appreciate that plaintiff does not want to file unnecessary briefs, but having reviewed the complaint and *Papa v. Katy Industries, Inc.*, 166 F.3d 937 (7th Cir. 1999), it is not clear to me from what was said in court today that discovery is at all likely to shed light on the relevant issues. In this case, it is admitted that the defendant employer that signed plaintiff's paychecks has sufficient employees to be sued under Title VII, so the exception stated in *Papa v. Katy Industries* regarding intentionally splitting corporations to avoid potential liability under the discrimination laws would not appear applicable. Neither is there anything else stated in the complaint that makes it obvious that there is potential for liability against the other corporations on the remaining exceptions identified in that case. It may be that plaintiff is correct in seeking discovery but the response will have to make clearer a basis for it. There are also other grounds alleged for partial dismissal in the motion that need to be addressed. Plaintiff shall comply with FRCP(26)(a)(2) by 8/8/08. Defendant shall comply with FRCP(26)(a)(2) by 9/8/08. Status hearing set for 7/11/2008 at 10:00 AM. Discovery ordered closed by 9/8/2008. Dispositive motions with supporting memoranda due by 10/8/2008. If no motion filed, Pretrial Order due by 11/6/2008. Plaintiff's oral motion for in camera review of plaintiff's diary is granted. Ruling to be made by mail. Mailed notice(mpj, )

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